



## Michigan Supreme Court

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### MEMORANDUM

DATE: March 13, 2014

TO: Michigan Trial Court Judges  
cc: Court Administrators

FROM: Supreme Court Justice Bridget Mary McCormack  
State Court Administrator John A. Hohman, Jr.

RE: SCAO Activity Related to LEP ("Limited English Proficient") Matters

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With the adoption of MCR 1.111, MCR 8.127, and Administrative Order No. 2013-8, courts are required to provide a language interpreter for parties or witnesses who are limited English proficient (LEP).

Since the rules' adoption, the LEP Implementation Advisory Committee and SCAO have been working to develop the related policies and best practices. This letter will outline what the trial courts can expect to see over the next year. Should you have an LEP-related question in the future, please contact Stacy Westra at [WestraS@courts.mi.gov](mailto:WestraS@courts.mi.gov) or (517) 373-9574, or Robin Eagleson at [EaglesonR@courts.mi.gov](mailto:EaglesonR@courts.mi.gov) or (517) 373-5542.

### **Translation of SCAO Forms**

Soon, your local court forms contact will receive an initial group of forms that have been translated into Spanish, Arabic, simplified Chinese, and Korean. A bilingual Request and Order for Interpreter (MC 81) and a bilingual Request to Review Denial of Request for Interpreter (MC 81a) in Spanish, Arabic, simplified Chinese, Korean, Serbo-Croatian, and Vietnamese will also be included. These forms will also be posted to [www.courts.mi.gov](http://www.courts.mi.gov) when they become available.

Four work groups have been created to identify other forms and vital documents that should be considered for translation. The work groups will initially focus on proceedings that affect personal interest or property (such as landlord/tenant proceedings), divorce, minor guardianships, debt collection, and personal protection actions. These groups will focus on additional areas in the future, if necessary.

If you have suggestions for particular forms that you believe should be given priority consideration or if you have questions about the status of any translation project and how it may impact your local efforts, please contact Amy Garoushi in the Trial Court Services Division at [ELGaroushiA@courts.mi.gov](mailto:ELGaroushiA@courts.mi.gov) or (517) 373-4864.

### **Data Collection**

There are scores of different languages spoken in Michigan. The number and types of languages change over time as populations shift and yet many LEP persons will have no contact with the courts. Given those realities, SCAO needs your help to accurately identify what resources are actually needed in your courts. As a first step, SCAO will begin collecting basic data about the use of interpreters in courts. This will allow SCAO to identify the specific languages and proceedings in which translated materials are needed and then make the relevant resources available—and adjust as the times change. This effort will also inform SCAO about where to focus recruitment efforts to increase the number of certified interpreters.

Several courts have agreed to pilot this data collection program and provide feedback. When we are confident about the scope and design of the collection tool, the effort will be expanded to include courts in the seven counties that contain about 80 percent of non-English-speaking residents. Data collection is expected to be a long-term endeavor.

### **Website Resources**

This spring, SCAO is redesigning its webpages related to language access, and is adding information targeted toward LEP individuals, courts, and interpreters. SCAO also continues to partner with [www.michiganlegalhelp.org](http://www.michiganlegalhelp.org) to coordinate resources to provide easy-to-understand online information for the self-represented litigant. Michigan Legal Help is currently working to translate much of its material into Spanish.

### **Interpreter Outreach**

A key long-term goal is to encourage foreign language speakers to become certified court interpreters. If you know someone who speaks a foreign language, please encourage that person to consider testing for the court interpreter examination.

For more information, contact [languageaccess@courts.mi.gov](mailto:languageaccess@courts.mi.gov) or (517) 373-6670.

### **Counter Tools**

To enable LEP individuals who are in a courthouse to easily request interpreter assistance, courts are encouraged to print multiple copies of iSpeak cards, and display them for easy access. The cards can be downloaded at: <http://www.lep.gov/iSpeakCards2004.pdf>. SCAO is currently designing signage that courts will also be able to display.

### **Bench Tools**

SCAO recently compiled a bench card for judicial officers to use as a quick reference when handling interpreter requests. It can be downloaded at: [http://courts.mi.gov/Administration/SCAO/OfficesPrograms/FLI/Documents/MCR %201 111 RuleSummary.pdf](http://courts.mi.gov/Administration/SCAO/OfficesPrograms/FLI/Documents/MCR_%201_111_RuleSummary.pdf)

### **Staff Training**

As with any new court procedure, successful implementation requires that judges and all other court employees work together to learn new practices and address any problems that may arise.

We thank you in advance and appreciate your willingness to take the time to ensure that all understand how the rule works in everyone's day-to-day spontaneous interactions with the public. Your engagement is key. The LEP Implementation Advisory Committee is working with the Michigan Judicial Institute to devise future training tools to aid you in these efforts.